SECULAR POLITY AT VATICAN II

A Shift towards Democracy

(11 pages)

Introductory Remarks

I write this essay from a phenomenological philosophical perspective. It arises from a pastoral, or communitarian appreciation of the documents of Vatican II, and not a dogmatic one. However, these documents are particular to a specific domination. Yet, the communitarian pastoral solution to an issue in Canada will not be the same as the communitarian pastoral solution to the same issue in Argentina. *Laïcité*, as a political concept, and the four Constitutions of the Church as concepts of polity represent "powers of authority," secular and religious respectfully, that each possesses. These powers of authority disclose the physical, mental and moral capacity to act administratively upon a collection of individuals, (i.e., the State composed of citizens, etc.) and to receive administrative direction, to varying degrees of acceptability, from these individuals, (i.e., as Nations, etc.). [1] As a phenomenological philosopher, I envision the State as presenting itself as an artificial political construct (a phenomenon) observed and identified mainly by borders (among other attributes), and the modern Church to present itself as an artificial political construct (a phenomenon) observed and identified mainly without borders (among other characteristics). The Treaty of Westphalia in 1648, as Western polity, to my mind, inaugurated the phenomenon of the evolution of the modern state which premised sovereignty on the conquest of global territory.

As yet, within Anglophone philosophy there is no satisfactory translation for *Laïcité*. Translations, such as "secularism," are usually inadequate because they imply scepticism or hostility rather than neutrality towards religion as is characteristic of contemporary *laïcité*. Within its particular history, each country composed of Anglo-Saxon political values needs to balance the authority of the State with the authority of religion. As a concern of national polity, *laïcité* is attracting the attention of the current French citizenry, but this time seen from a different perspective than from the French Republic of 1905 at which time the Church and State were legally separated. Further, the meaning of *laïcité* is currently evolving beyond that which was incorporated into the French Constitution of 1946. As a modern political principle, it applies to all religions within a given State on how

secular and religiously-minded individuals may live together (i.e., *le vivre-ensemble*). A Professor of French in Modern Languages, Michael Kelly, identifies the phenomenon of "global decolonization" as a cause of the present-day tension that *laïcité* engenders in establishing *le vivre-ensemble*, particularly in contemporary France. [2] To my mind, as a phenomenon evolving outside of the French experience, it is doubtful as to how long *laïcité* can characterize exclusively the identity of the French Nation/State. As a democratic value *laïcité* is becoming recognized as the property of humanity.

Laïcité explicitly discloses republican values.

Laïcité guarantees freedom of conscience. It allows a societal freedom to disclose one's beliefs or convictions given a regulated respect for public order. *Laïcité* supports the neutrality of the State and recognizes the equality of all before the law without deference to religion or philosophical belief. Given its neutral stance, *laïcité* also guarantees that no one can be forced to accept religious dogmas or teachings.

The order of polity of *laïcité* implies the separation of the State from all forms of religious organizations. The political order is based on the sole sovereignty of human beings, thus eliminating the previous authority derived through the "Divine Right of Kings" philosophy. Contemporary *laïcité* does not apply to a Nation in its cultural identity. It applies to the political governance of the Nation (as a cultural identity) but as incorporated into Nation-State and ensuring equality of the citizens vis-a-vis the administration and the public service, regardless of the convictions or beliefs of the citizenry. *Laïcité* is not the enemy of religions: it protects them and because it is a living principle, must also adapt in order to retain all of its original insight. *Laïcité* is not a fossilized concept.

On July 15, 2021, with the installation of the Inter-ministerial Committee for Secularism the French Government began re-evaluating how to balance the French model of *laïcité* with the intention of reconciling the exercise of individual freedoms with the necessity of republican cohesiveness. This Committee, which replaced the Secularism Observatory created in 2013, in fact, makes it possible to effectively coordinate the policies of all government ministries concerned

with the current cultural experience of the citizens. In effect, the Committee desires to restore the principles inherited from 1905, (through a *ressourcement*), and adapting them to the experience of contemporary French society. Nothing contrary to the spirit of the French Republic will be enacted through this restoration. There will be, no doubt, lessons to be learned here by the Committee from those outside the influence of France. One lesson is that freedom of worship will be guaranteed in order to maintain respect for order and harmony among the various religions and philosophies evident within the public forum. All religious organizations of whatever description will be accorded the legal and financial status appropriate to their legitimate constitutions. [3]

In light of the role cultures play vis-à-vis *laïcité* I paraphrase from Edward Bell (Brescia College, University of Western Ontario).

> It has long been believed that there is a relationship between a society's culture and its ability to produce and sustain democratic forms of government. The ancient Athenians maintained that their democracy depended, in part, on the fostering of "civic virtue" or democratic culture. Machiavelli, Montesquieu, Rousseau, and J. S. Mill also maintained that culture and democracy were related, and a wide variety of social scientists have come to broadly similar conclusions. Over the years the Church has followed a strategy much like that of any other organization in the secular political realm. It has preferred a position of dominance for itself, but where that was not feasible, it was willing to enter into a democratic compromise. And like other groups involved in power struggles in which domination by a single contender is unlikely, in reaching a compromise the Church came to adopt a democratic ideology regarding secular political practice, awakening to the fact that it could survive and even flourish under liberal democracy. [4]

The unacknowledged issue arising in Bell's rendering, as I see it, is that the Church's monarchical history is being (consciously) overlooked. This suggests to me that move to a democratic self-conception will likely threaten the monarchists who believe that the Church is necessarily constituted as sacred institution and not dependent on the general will of the people. Trusting in a liberal democracy can be conceived, from a theological point of view, as indicating a lack of confidence in divine providence. However, to me, form a philosophical perspective it suggests

something more positive. The shift to a democratic understanding requires a philosophical re-thinking of the contemporary role of the divine in human affairs. In short, a re-conception of God in the Western tradition is required.

Again, but in relation to the polity of human rights and society, I paraphrase the Conclusion from Paolo G. Carozza and Daniel Philpott. [5]

> As Pope Benedict XVI's December 2006 address to the Roman Curia suggests, the Catholic Church's relationship to human rights and democracy has long been ambivalent. The Church endorsed human rights as early as the sixteenth century in pronouncements on colonization in the New World. Through a dialogue with the modern world, including with philosophers of the Enlightenment, and through the parallel evolution of the state-system the Church's teaching converged more and more with the norms of human rights and democracies found in these secular institutions. This convergence was consolidated at Vatican II. [*I am not sure that "convergence" is the best description of what actually happened. If the term is taken to mean the act of moving towards a union or a uniformity, I would disagree. From my philosophical perspective, I see a parallel evolution of Church and State occurring at Vatican II that discloses more influence of the modern State upon the Church than the influence of the contemporary Church upon the State. Put colloquially, there is more "world" in the Church than "Church" in the world. The authors continue:*] But Vatican II did not dispose of the differences between the Catholic and secular understanding of human rights and democracy, either in theory or in practice. In the case of long established or newly minted democracies, entirely new forms of divergence between the Church's teachings and democratic practice have arisen. Such divergence is likely to persist, even as the Church is likely to remain enthusiastic about the core norms of constitutional democracies. Though the Church's teaching has evolved—or, better yet, "developed," to use the concept that John Henry Newman articulated in the nineteenth century and that the Church had embraced in the twentieth—there is nevertheless continuity and consistency behind the Church's ambivalent stance toward human rights, democracy, and the modern state. The common thread running through centuries of teaching and practice consists of the Church's commitment to upholding the transcendent

dignity of the human person and affirming that the legitimacy of any political authority lies in its accountability to the common good, understood as a moral order grounded in this human dignity, rather than in state sovereignty or even democracy as such.

Philosophically, human dignity need not be a transcendental concept (as the Christian Church maintains) in the 21st Century. It can be founded upon deep anthropological insights and secular societal values that are compatible with a contemporary understanding of *laïcité*. Human dignity need not be assigned by the divinity, but is an innate status arising within the autonomous and unique specification of the human being. Discussing the evolution of secular polity within the Church, Carlos Thiebaut, in an insightful article entitled, *Secularizing Traditional Catholicism: Laicism and Laïcité*, provides another perspective demonstrating the need for a philosophical re-assessment of the relationship between Church and State. [6] The Abstract reads:

Some cases of countries and cultures in which traditional Catholicism has played a major role in defining public culture are undergoing accelerated secularization processes; the result should be relevant for the diagnoses underlying contemporary post-secular proposals. It is argued, first, that in these countries (Spain has been taken as a main example), where the Catholic Church lost its institutional power, it is also losing its ethical hegemony. While public and political debates still retain the sense of symbolically laden, communal ethical accord, they are no longer understood with religious overtones. It is suggested, second, that *laïcité* – a non-aggressive stance concerning religion – could adequately describe this predicament, though it retains a trait of self-defence vis-à-vis the Church that is normally attached to the term 'laicism'. It is proposed, third, that secularization takes place at the ethical level, in which no sense of loss can be attached to the secular citizen. It is at this level, where the conflicts around meanings and values, which can be framed in religious or secularized terms, set the agenda for legal and political discussions, and where the equal standing of religious and secular interpretations should be assessed.

Clearly, in light of these three articles the move towards democracy within the monarchical Catholic Church is a two-edged sword, as it were. For traditionalists the monarchical

understanding of the Church appears to be "under attack" from progressive liberal thinkers. They fail to recognize the positive phenomena in human evolutionary development that have arisen from within modern countries, cultures and human rights movements. Traditionalists notwithstanding, it is apparent to critical philosophers that *laïcité* is explicitly disclosing republican political values both in secular society and within religious institutions.

Vatican II Pastoral Constitution (*Gaudium et Spes*) explicitly discloses communitarian values.

Pastoral theology, or communitarian practical philosophy, deals with the Church as a present reality with a societal and historical structure. It is a present reality of human existential life. Accordingly, then, I choose to focus on the practical philosophical polity disclosed in *Gaudium et Spes* which I take to be a modern task of philosophy. In this instance, as a phenomenological philosopher, I view theology and philosophy as focused on the same existential experience. Their distinction is only of theoretical academic importance as Vergilius Ferm has noted. [7] I interpret *Gaudium et Spes*, then, within the phenomenological philosophical tradition by "bracketing out" this academic distinction and focus on the observable human historical experience of meaning.

The world is the theatre of human history disclosing the meanings of individual and collective human endeavour. In human history the Church is no threat to *laïcité* in that it "is not motivated by earthly ambition." [8] The contemporary material world, being accomplished through modern scientific inquiry and techno-digital progress, is expanding further to include the conquest of extraterrestrial space. This expansion and the need for an appropriate polity is noted in *Gaudium et Spes* (para. 9). "Meanwhile there is a growing conviction that humanity is able and has the duty to strengthen its mastery over nature and that there is need to establish a political, social, and economic order at the service of humanity, to assert and develop the dignity proper to individuals and to societies." In today's secular context of governance, the appropriate polity is not to be found in religious revelation, but rather in solutions that are fully human. Nevertheless, within its shift from the exclusivity of Christian Revelation the Church "sincerely proclaims that all men and women, those who believe as well as those who do not, should help to establish right order in this world where all live together" (*Gaudium et Spes*, para. 21).

A political community is necessary for the evolutionary development of humanity in the modern world. The existential evolutionary development of humanity takes place on an individual and historic level. "The social order and its development must constantly yield to the good of the person, since the order of things must be subordinate to the order of persons and not the other way around" (*Gaudium et Spes*, para. 26). Contemporary Christian polity is to safeguard basic human rights under every political system by educating its citizenry to a higher degree of culture. I suggest that a means to a higher degree of culture is the modern scientific attitude which, in fact, understood as a contemporary Western philosophical phenomenon, (as a techno-digital culture) renders all previous cultural attitudes traditional. A modern scientific culture produces, by its own investigations, many solutions that in former times were expected from the "heavenly powers," as it were. As a result, the Council notes that: "We cannot but deplore certain attitudes, not unknown among Christians, deriving from a short-sighted view of the rightful autonomy of [modern] science; they have occasioned conflict and controversy and have misled many into opposing faith and science" (*Gaudium et Spes*, para. 36).

A policy of *laïcité*, not hostile to the Church, can readily accept the Church's teaching that: "By its nature and mission [by its polity, in other words] the church is universal in that it is not committed to any one culture or to any political, economic or social system. Hence, it can be a very close bond between the various communities of people and nations, provided that they trust the church and guarantee it true freedom to carry out its mission" (*Gaudium et Spes*, para. 42). The political notion at play here, it seems to me, is that the Church's variable visible social structure, disclosed by its natural and missionary bond can act as a cohesive bond. Further, this bond may be enriched by the evolution of societal life within whatever culture it is found on the face of the earth. The democratic polity of *Gaudium et Spes* is "unity within diversity."

A human value found in contemporary political life is the guarantee of the rights of the person and the rights of the citizen; person being the moral concept (favoured by the Church) and citizen being the political concept (favoured by the State). The former is a member of a national community and the latter is a member of a political community. Personhood is a universal concept, whereas, citizenship is a particular concept. The Council's polity in no way discourages the civil community's purpose to work for the implementation of the common good. Within the State

system, it acknowledges that "the political community, then, exists for the common good: this is its full justification and meaning and the source of its specific and basic right to exist" (*Gaudium et Spes*, para. 74). In this capacity, the State exists as a moral force of authority based on freedom and a sense of responsibility, the document states, leaving the choice of political structure and appointment of officers to the free decision of the citizens. It is to be noted, however, that in the separation of Church and State which "are autonomous and independent of each other in their own fields," does not terminate in two equal human jurisdictions. The Church claims divine assistance which the secular State lacks. *Gaudium et Spes* (para. 76) states that "humanity's horizons are not confined to the temporal order; living in human history they retain the fullness of their eternal calling." It appears that the "eternal calling" has been renounced in the establishment of the secular State.

Although rarely advocated in the public forum, this Constitution continues to support the theory of a just war based on human values. "State leaders and all who share the burdens of public administration have the duty to defend the interests of their people and to conduct such grave matters with a deep sense of responsibility. However, it is one thing to wage a war of self-defense; it is quite a different matter to seek to conquer another nation" (*Gaudium et Spes*, para. 79). Ideally, however, the Church envisions the outlawing of war through the establishment of a universally acknowledged public authority vested with the effective power to ensure security for all nations.

With respect to the Church's polity, then, from a phenomenological philosophical perspective, explicitly disclosing pastoral, or particular communitarian values, it should be clear that the Church and State share the same goal for humanity's evolutionary democratic development. However, the contemporary distinction between Church and State preserves the Church's presumption of faith in divine involvement to achieve its ends. As the document's conclusion reads:

> Faced with the wide variety of situations and forms of human culture in the world, this conciliar program is deliberately general on many points; indeed, while *the teaching presented is that already accepted in the church, it will have to be pursued further and amplified because it often deals with matters which are subject to continual development*. Still, we have based our proposals on the word of God and the spirit of the Gospel. Hence

> we entertain the hope that many of our suggestions will succeed in effectively assisting all people, especially after they have been adapted to different nations and mentalities and put into practice by the faithful under the direction of their pastors [my italics] (*Gaudium et Spes*, para. 91).

To my mind, divine involvement as an active agent in the affairs of global humanity (politically and morally) may be legitimately and existentially doubted by those faithful, as well as others, who fashion a communitarian polity for the future of humanity. The phenomenological philosopher, then, is prompted to question the necessity for divine involvement in modern democratic affairs. As Paolo Carozza's has noted in his 2012 article, *The Catholic Church, Human Rights, and Democracy: Convergence and Conflict with the Modern State* (pg. 23): [9]

> The Council's Pastoral Constitution on the Church in the Modern World, *Gaudium et Spes*, did not refer to "democracy" as such, but rejected despotic governments, affirmed the freedom of people to choose their type of government and their leaders, and appealed to the importance of political participation, which in turn it said required the rule of law and separation of powers. True to tradition, the document endorsed human rights far more strongly and explicitly. By that time, though, the political landscape of the world meant that to endorse human rights was effectively to endorse democracy since human rights were realized most effectively in states with democratic constitutions. Finally, *Gaudium et Spes* continued and extended the Catholic tradition of viewing the common good as worldwide in scope, and stressed repeatedly that international solidarity, coordination, institutions, and law are necessary to secure peace, development, and human rights.

As I see it, the above quote stresses human agency as the operative force in establishing democracy worldwide. Divine agency is not needed.

By way of a summation, I have succinctly charted the points considered in this presentation concerning *laïcité* and communitarian (pastoral) values in table below, which to my mind, suggests a parallel development of each under their respective titles. From these historical developments I conclude with the following observations. First, there is a demonstrable shift from

monarchical government to democratic governance as a product of the evolution of ecclesial polity. But it must be acknowledged the secular polity is incompatible with divinely inspired government as is most evident from a phenomenological philosophical perspective. Secondly, from this same perspective, it appears that the traditional monarchical understanding of the Church's presence in a future world will not be sustainable. That is to say that, ironically, the Church's polity may "evolve" to its previous pre-Constantinian status and engage life alongside political organizations fashioned through humanitarian values.

The polity of *laïcité* and of communitarian values compared in chart form.

Polity of *Laïcité*	Polity of Communitarian Values
The modern administrative State functions according to the limits defined by its borders.	The contemporary Catholic Church functions as a modern State defined without borders.
Laïcité presents as an authority of democratic political power.	Communitarian values present as an authority of moral power.
Laïcité employs secular understanding in advancing a universal concept of *le vivre-ensemble* for the contemporary global community.	Communitarian values employ particular theological understandings in advancing the concept of global harmony.
Laïcité guarantees freedom of conscience of the citizens of the State.	Communitarian (pastoral) values guarantee the freedom of conscience of the faithful.
Laïcité may be understood as a transnational universal political concept.	Communitarian values may be understood as transcending their cultural origins.
Laïcité (particularly in France) is presently undergoing a political *ressourcement*.	Communitarian values (globally experienced) are undergoing a political *ressourcement*.
Laïcité posits the autonomy of the State within its temporal jurisdiction.	Communitarian values posit the autonomy of the person as a member of the human race.
Laïcité defers to the rule of law.	Communitarian values defer to the rule of law.

ENDNOTES

[1] *Gaudium et Spes*, paragraph 4 notes: "Ours is a new age of history with profound and rapid changes spreading gradually to all corners of the earth. … We are entitled then to speak of a real social and cultural transformation whose repercussions are felt at the religious level also. A transformation of this kind brings with it the serious problems associated with any crisis of growth. *Increase in power is not always accompanied by control of that power for the benefit of humanity.* In probing the recesses of their own minds, people often seem more uncertain than ever of themselves: in the gradual and precise unfolding of the laws of social living, they are uncertain about how to plot its course" [my italics]. Flannery, Austin *Vatican Council II* Costello Publishing & Dominican Publications (1996:165).

[2] Cf. https://theconversation.com/frances-la-cite-why-the-rest-of-the-world-struggles-to-understand-it-149943
[3] Further information at https://www.gouvernement.fr/laicitegouvfr
[4] Cf. https://www.luc.edu/media/lucedu/dccirp/pdfs/articlesforresourc/Article_-_Bell,_Edward.pdf
[5] Cf. https://scholarship.law.nd.edu/cgi/viewcontent.cgi?article=1888&context=law_faculty_scholarship
[6] Cf. (PDF) "Secularizing Traditional Catholicism: laicism and laicité", Philosophy and Social Criticism, 36, 3-4 (2010) 365-380. (researchgate.net)
[7] "Theology need not have any necessary reference to religion; it may be a purely theoretical discussion about God and God's relation to the world on a disinterested plane of free inquiry." s. v. "Theology" in *Dictionary of Philosophy: Ancient, Medieval, Modern* Littlefield, Adams (1963).
[8] *Gaudium et Spes,* paragraph 3. All quotes are taken from Flannery, Austin (1996) *Vatican Council II* Costello Publishing, Dominican Publications.
[9] Cf. https://scholarship.law.nd.edu/cgi/viewcontent.cgi?article=1888&context=law_faculty_scholarship

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